

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PRIORITY SEND  
JS-6

CIVIL MINUTES -- GENERAL

Case No. **CV 11-6777-JFW (SSx)**

Date: October 11, 2011

Title: Mahan Matthew Abbasi -v- Azadeh Ashtari, et al.

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**PRESENT:**

**HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE**

**Shannon Reilly**  
**Courtroom Deputy**

**None Present**  
**Court Reporter**

**ATTORNEYS PRESENT FOR PLAINTIFFS:**

None

**ATTORNEYS PRESENT FOR DEFENDANTS:**

None

**PROCEEDINGS (IN CHAMBERS):**

**ORDER GRANTING DEFENDANTS' MOTION TO  
DISMISS OR IN THE ALTERNATIVE, TO TRANSFER  
VENUE [filed 9/21/11; Docket No. 8]**

On September 21, 2011, Defendants Azadeh Ashtari, Nazzie Bigdely, and Mahmood Bigdely (collectively, "Defendants") filed a Motion to Dismiss or in the Alternative, to Transfer Venue ("Motion"). Plaintiff Mahan Matthew Abbasi ("Plaintiff") did not file an Opposition. Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the Court finds that this matter is appropriate for decision without oral argument. The hearing calendared for October 24, 2011 is hereby vacated and the matter taken off calendar. After considering the moving papers and the arguments therein, the Court rules as follows:

Pursuant to Local Rule 7-9, Plaintiff was required to file and serve his Opposition or Notice of Non-Opposition "not later than twenty-one (21) days before the date designated for the hearing of the motion." See Local Rule 7-9. Local Rule 7-12 provides that "[t]he failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting . . . of the motion." See Local Rule 7-12. As of the date of this Order, Plaintiff has not filed an Opposition to Defendants' Motion. Pursuant to Local Rule 7-12, the Court deems Plaintiff's failure to file an Opposition or to otherwise comply with Local Rule 7-9 as consent to the granting of Defendants' Motion.

Accordingly, Defendants' Motion is **GRANTED**. Plaintiff's Complaint is **DISMISSED without leave to amend**, and this action is **DISMISSED with prejudice**.

IT IS SO ORDERED.

Initials of Deputy Clerk sr